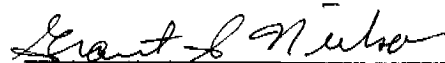
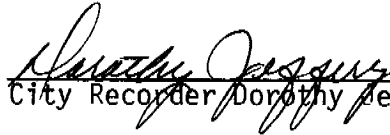


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Council Member Greathouse declared the meeting to be concluded at 8:47 p.m.

  
Mayor Grant S. Nielson

  
City Recorder Dorothy Jeffery

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD FEBRUARY 13, 1984

PRESENT

Ruth Hansen	Mayor pro tempore
Don Dafoe	Council Member
Neil Dutson	Council Member
Craig Greathouse	Council Member
Kjell Jenkins	Council Member

ABSENT

Grant S. Nielson	Mayor
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OTHERS PRESENT

Warren Peterson	City Attorney
Jim Allan	City Manager
Dorothy Jeffery	City Recorder
Sherri Terrell	City Secretary
John Quick	City Engineer
Wayne Andrews	Central Utah Gas
Mrs. Wayne Andrews	Central Utah Gas
Wydell Jeffery	City Resident
Steve Pace	Steve Pace Real Estate
Steve Jackson	Attorney for Rancho Mobile Homes
Rex Day	Rancho Mobile Homes
Jim Fletcher	KNAK Radio

Mayor pro tempore Ruth Hansen called the meeting to order at 7:03 p.m. and stated that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette and the local radio station, KNAK, and to each member of the governing body by personal delivery of copies of the Notice and Agenda two (2) days prior to the meeting.

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MINUTES

The minutes of a Regular City Council Meeting held February 3, 1984, were discussed and corrected by the Council. Councilman Kjell Jenkins MOVED to adopt the minutes as corrected. Council Member Don Dafoe SECONDED the motion, which passed unanimously.

The minutes of a Public Meeting held February 9, 1984, were presented to the Council. The Council read and discussed the minutes. Councilman Craig Greathouse MOVED to table the minutes and asked for more detailed minutes to be presented at the next City Council meeting. Councilman Neil Dutson SECONDED the motion. The motion carried unanimously.

ACCOUNTS PAYABLE

City Recorder Dorothy Jeffery presented the list of accounts payable, which were as follows:

UP&L	Delta City	181.79
UP&L	Fire Dept.	818.46
UP&L	Sewer Lift B	421.56
UP&L	D Station	92.35
UP&L	Sewer Pump #2	193.33
UP&L	Sewer Pump #3	156.93
UP&L	Street Lights	314.63
UP&L	Tennis Crt	8.40
UP&L	Tennis Crt #2	8.40
UP&L	City Well	904.39
DELTA CITY	City Bldg	Replace Petty Cash 26.84
CIVIC SUPPLY	Police	Vehicle Emblems 203.00
D & E OIL	Streets	Trans fluid, Hydrlic oil 62.68
DUWILL	Council	Ordinance 84-69 P Notice 96.60
MASTER MUFFLER	Police	Service on police car 316.84
QUALITY	Christmas	Candy/oranges/peanuts 936.06
QUALITY	P & R	Poster Board 3.40
SEVIER OFFICE	City Office	Typewriter Ribbons 71.40
SEVIER OFFICE	Recorder	Binders 24.30
ZIONS BOOK	Library	Book & Mailing 6.60

Mrs. Jeffery also presented a monthly bill from Delta Auto in the amount of \$252.90, a monthly bill from Dennis Westwood for animal control in the amount of \$415.00, and a bill from Bush and Gudgeall for services rendered in the amount of \$3,547.

The Council discussed the current bills. Councilman Don Dafoe MOVED to pay the current bill with the exception of the bill from UP&L for the Fire Department and the bill from Master Muffler for the Police Department. Council Member Kjell Jenkins SECONDED the motion, which passed unanimously.

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#### SKYLINE CONSTRUCTION CONTRACT FOR WORK AT DELTA ESTATES

City Engineer John Quick stated that everything was in order to award the contract to Skyline Construction for the special improvement district project at Delta Estates. He recommended the contract with Skyline Construction be approved for the work on Special Improvement District 1983-1. Councilman Don Dafoe MOVED to authorize the Mayor to sign the agreement with Skyline Construction Company. Council Member Kjell Jenkins SECONDED the motion, which passed with a unanimous vote.

#### PARKSIDE CONDOMINIUMS

City Attorney Warren Peterson stated that Steve Pace had asked him to inform the Council that the first four units of the Parkside Condominiums are being built for the purpose of rentals. Mr. Peterson stated that rental units do not require Council action. These units will have to be built in compliance with the standards that are already in force. The Council discussed the matter and Attorney Peterson stated this was for information only and required no action.

#### DISCUSSION REGARDING THE LITTERING ON THE ROUTE TO DELTA CITY DUMP

Wydell Jeffery stated there is a problem with littering on the route to the City Garbage Dump. Mr. Jeffery stated that even though this is within the County's and City's jurisdiction, it is a problem that needs to be resolved. He suggested an awareness program be initiated to inform the public of the problem and to enforce the laws that prohibit such littering. He suggested that such a program be designed with the following steps: (1) Resolve to educate people of their responsibility to keep our city clean, help build pride so everyone will pitch in and help clean up, (2) Set some definite guidelines regarding littering and uncovered loads, (3) Set forth a program to clean up those roadways and areas which are accumulating the trash. The City Council concurred with this worthwhile program.

City Attorney Warren Peterson stated Section 10-437 of the Revised Ordinance of Delta City reads: "TRUCK LOADS CAUSING LITTER. No person shall drive or move any truck or other vehicle unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited on any street, alley or other public place."

Council Member Don Dafoe suggested that Jim Allan direct Police Chief Cooper to inform the public of the ordinance and that it will be enforced. The Council concurred.

#### PAY REQUEST FROM WILFORD JENSON CONSTRUCTION FOR WORK COMPLETED ON MUNICIPAL BUILDING IN THE AMOUNT OF \$77,768.70

City Manager Jim Allan presented Wilford Jenson's pay request for work completed on the municipal Building in the amount of \$77,768.70. The Council reviewed the certificate for payment. Council Member Don Dafoe MOVED to pay Wilford Jenson Construction Company the requested amount of

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\$77,768.70. Council Member Craig Greathouse SECONDED the motion, which passed unanimously.

City Manager Jim Allan stated the glazing company that makes the window frames will not be able to have the order ready for 3 to 5 weeks. This would delay the building 8 weeks. However, another company is willing to be on site tomorrow with the same quality of window. This window will take more time to replace if broken, but will not delay the building.

SCHEDULE PUBLIC HEARING FOR PROPOSED AMENDMENT TO DELTA CITY ZONING ORDINANCE

City Attorney Warren Peterson presented to the City Council a proposed amendment to the zoning ordinance modifying yard requirements for condominium units. He said a public hearing must be scheduled. Mr. Peterson stated a public notice needs to be published at least 15 days prior to the public hearing. Councilman Don Dafoe MOVED that a Public Hearing regarding the ordinance allowing for waiver of yard requirement for approved condominium units be held at 6:30 p.m., on March 5, 1984, at the Delta City office. Council Member Craig Greathouse SECONDED the motion, which carried unanimously.

AUDIT EVALUATION

City Manager Jim Allan reviewed parts of the audit. The Council asked to put this item on the agenda for the next City Council Meeting, allowing them more time to review the audit.

PROPOSED ORDINANCE AMENDING THE ORDINANCE REGARDING SEWER CONNECTIONS

City Attorney Warren Peterson stated that the City can require any building intended for human occupancy to connect to the sewer system if the property on which it is located is within 300 feet of a sewer line. He explained that in many instances it is not feasible to hook onto the City sewer because of inavailability of sewer lines, lift stations, and the capacity of the sewer system. The proposed ordinance would establish criteria for approval of private sewer systems when connection to the City sewer system is not available.

Mr. Peterson stated that the private sewer systems would have to meet health codes. He suggested the City not enforce the sewer fee for those persons not hooked to the City sewer system. Councilman Craig Greathouse requested a list of persons not on City sewer, but who are paying the sewer fee.

The Council reviewed the ordinance. Councilman Kjell Jenkins MOVED to adopt Ordinance No. 84-70 entitled:

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF DELTA CITY (1981 EDITION) AS AMENDED, TO MODIFY THE PROVISION RELATING TO MANDATORY USE OF THE SEWER SYSTEM TO ALLOW FOR VARIANCES TO BE GRANTED FROM SUCH REQUIREMENT BY THE DELTA CITY COUNCIL WHEN SEWER SERVICES ARE NOT AVAILABLE TO CERTAIN PREMISES.

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Council Member Craig Greathouse SECONDED the motion. Mayor pro tempore Ruth Hansen then asked for a roll call vote, which went as follows:

Don Dafoe	Yea
Neil Dutson	Yea
Craig Greathouse	Yea
Kjell Jenkins	Yea

Following the voting Mayor pro tempore Hansen signed Ordinance No. 84-70 and City recorder Jeffery attested it.

#### COMPUTER EVALUATION

Councilman Craig Greathouse stated he had received a price quotation for a computer system, which included the following equipment: IBM System 36 with 30 megabytes hard disk storage, a central processing unit with 256 K random access memory, 2 CRT terminals, 1 printer, and 2 personal computers. The total price is \$38,557. If the State of Utah doesn't ratify IBM's contract, this package will cost over \$41,000. He stated that the system software would be an additional \$6,520. Councilman Greathouse stated there would also be \$600 shipping and an additional fee for the cable and connectors.

Councilman Greathouse stated it would cost \$300 a month, on a continuing lease, to lease the software. The hardware could be acquired on a 10% contract at \$825 per month, or with a \$12,000 down payment it would be \$561. Councilman Greathouse stated that the maintenance agreement would be \$179.22 a month for the CPU, CRT terminal, and printer. If the personal computers were included, it would be a total of \$226.96.

The majority of the Council suggested that an additional CRT terminal be purchased for the Public Works Department. This would enable them to have access at all times to their inventory, water billing, and water and sewer system information.

Council Member Craig Greathouse stated he had asked for a contract to be mailed to Delta City for the City Attorney's review and approval.

Council Member Don Dafoe MOVED to authorize Mayor Nielson to sign the contract pending review by City Attorney Peterson. Councilman Greathouse SECONDED the motion, which carried unanimously.

#### INTERVIEW RECOMMENDATIONS FOR TREASURER POSITION

City Manager Allan stated he had graded the applicants for the City Treasurer position on their resumes and also graded the individuals that he interviewed with an oral test. He suggested four applicants be interviewed by the City Council and explained to the Council the scores he had given them.

The Council directed City Manager Allan to schedule interviews for Tuesday at 5:30 p.m.

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OTHER BUSINESS

Attorney Steve Jackson stated he and Rex Day had come to the City Council Meeting in hopes of resolving a misunderstanding regarding the water and sewer connection fees at Rancho Mobile Home Park.

Rex Day stated there were three items among other things, that the City and Rancho Mobile Home Park had made agreements on prior to annexation of the Rancho Mobile Home Park site: (1) water rights - this was resolved by dedication to the City of water rights with an annual delivery of 174 acre feet, (2) a development of a park at the cost of \$20,000 in addition to the land dedicated for the park, and (3) water and sewer connection fees for each individual mobile home space would remain the same as at the time of the initial connection, but would be paid for every year at the same time as the business license is paid. This last item seems to be causing the misunderstanding. Mr. Day asked whether the connection fee is determined at the time of each mobile home hook-up or at the time Rancho Mobile Home water and sewer lines were first connected to the City systems.

City Recorder Dorothy Jeffery stated that she would look this up in the records of the past City Council meetings. The Council concurred this matter should be resolved as soon as possible.

City Manager Jim Allan presented Change Order #2 for the City Municipal Building. The items on the change order are as follows: (1) change in routing of the ductwork, due to a mistake of the architect, for \$628, (2) change wall in library at no extra charge, (3) outlets in Records room for \$155, (4) coils in mechanical room for \$170, and (5) two oak cabinets for \$950.

The Council directed Mr. Allan to inform the architect the City feels that it is their error and their responsibility to pay for the changes in the duct work. Councilman Don Dafoe stated that he would build the oak cabinets at no charge to the City if they would furnish the materials.

Councilman Craig Greathouse asked why the speed limits were different on First West than on other streets in town. He was informed that First West Street was designated as a through street and posted as such.

City Attorney Warren Peterson asked the Council if they would consider purchasing a "Cost of Defense" insurance policy? He stated that a policy like this would pay defense cost for the City and City officials or personnel named as defendants in certain types of law suits. Mr. Peterson stated that Pat Manis had agreed to provide a bid for the City.

Councilman Neil Dutson MOVED to adjourn the meeting. Councilman Don Dafoe SECONDED the motion, which passed with a unanimous vote. Mayor pro tempore Hansen then adjourned the meeting at 10:09 p.m.

  
Mayor pro tempore Ruth Hansen

City Recorder Dorothy Jeffery